

UNITED STATES BANKRUPTCY COURT

FOR THE

**EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In the Matter of:

ROBERT PADULA
AND
DEBORAH PADULA
Debtors

Chapter 13

Case No. 11-12985-BFK

ORDER CONFIRMING MODIFIED PLAN

The Modified Chapter 13 Plan filed by Robert Padula and Deborah Padula on November 7, 2011, having been transmitted to all creditors; and it having been determined that the plan meets each of the requirements of 11 U.S.C. Section 1325(a);

It is ORDERED that:

- (1) the Plan as filed or modified is CONFIRMED.
- (2) Upon entry of this order, all property of the estate shall revert in the Debtor(s). Notwithstanding such reversion, the Debtor(s) shall not encumber, refinance, sell or otherwise convey real property without first obtaining an order of approval from this Court.
- (3) All funds received by the Chapter 13 Trustee on or before the date of an order of conversion or dismissal shall be disbursed to creditors, unless such disbursement would be de minimis, in which case the funds may be disbursed to the Debtor(s) or paid into the Treasury registry fund account of the Court, at the discretion of the Trustee. All funds received by the Chapter 13 Trustee after the date of the entry of the order of dismissal or conversion shall be refunded to the Debtor(s) at their address of record.

Order Confirming Plan

Robert Padula and Deborah Padula

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(4) On May 22, 2011, and each month thereafter until further order of this Court, the Debtors shall pay to the Trustee, Thomas P. Gorman at P.O. Box 1553, Memphis, TN 38101-1553 the sum of \$1,085.00 per month for 36 months and then \$1,370.00 per month for the remaining 24 months of the Plan. Payments under said Plan to be completed within 60 months from the due date of the first payment in this case.

(5) The Debtor shall file all federal and state income tax returns on or before the due date, without extension, and provide the Trustee with signed copies of the returns within 7 days after they are filed and provide the Trustee such additional information as the Trustee may require for determination of the Debtor's disposable income. Failure to timely comply with this provision shall be grounds for dismissal.

(6) Any lien avoidance actions(s) contemplated by Section 7(B) of the Plan must be made by the filing of an Adversary Proceeding no later than sixty(60) days from the date of the entry of this Order.

(7) The Debtor(s) shall comply with the agreed modifications of page four of the Order Confirming Plan.

Dated: _____

Brian F. Kenney
United States Bankruptcy Judge

Confirmation Recommended.

/s/ Thomas P. Gorman
Thomas P. Gorman
Chapter 13 Trustee
300 North Washington Street, Ste. 400
Alexandria, VA 22314
(703) 836-2226
VSB #26421

Local Rule 9022-1(C) Certification

The foregoing Order was endorsed by and/or served upon all necessary parties pursuant to Local Rule 9022-1(C).

/s/ Thomas P. Gorman
Thomas P. Gorman, Chapter Trustee

ADDENDUM TO PLAN AND CONSENT ORDER CONFIRMING PLAN, page 3
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Robert Padula
Deborah Padula

The Debtor(s) shall furnish the Trustee annual federal and state income tax returns within forty five (45) days of the due date of such returns for each year of the Chapter 13 case, plus federal and state income tax refunds in the excess of \$250.00 per annum unless otherwise ordered by this Court. In addition, the Debtor shall furnish the Trustee any such amount(s) as are hereafter determined by the Court to be disposable income of the Debtor(s) during the pendency of this proceeding and any additional information as the Trustee may require for determination of the Debtors disposable income. Failure to comply with this provision shall be grounds for dismissal.

_____/s/Robert Padula_____
Robert Padula

_____/s/Deborah Padula_____
Deborah Padula

_____/s/Martin C. Conway_____
Martin C. Conway

_____/s/Thomas P. Gorman_____
Thomas P. Gorman

Order Confirming Plan

Robert Padula and Deborah Padula

Case #11-12985-BFK

PARTIES TO RECEIVE COPIES

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Chapter 13 Trustee
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